

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL JEROME,

Plaintiff,

Case No. 15-12302

v.

Hon. John Corbett O'Meara

LIEUTENANT MICHAEL CRUM,
in his individual and representative
capacity, and the CITY OF BERKLEY,
a municipal entity,

Defendants.

ORDER OF PARTIAL DISMISSAL

On June 24, 2015, Plaintiff filed a complaint alleging the following counts:

Count I, federal false arrest and false imprisonment; Count II, federal malicious prosecution; Count III, federal due process; Count IV, federal unconstitutional policy or custom; Count V, state unlawful arrest; Count VI, state malicious prosecution; Count VII, state false imprisonment; Count VIII, state gross negligence.

Although Counts I through IV are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v.

Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994); Sanford v. Detroit Pub. Schs., 2014 WL 1922722 (E.D. Mich. 2014) (“Mixing federal-law claims with supplemental state-law claims can cause procedural and substantive problems; in the interest of judicial economy and convenience, these problems should be avoided.”).

Therefore, IT IS HEREBY ORDERED that Counts V, VI, VII, and VIII of Plaintiff’s complaint are DISMISSED WITHOUT PREJUDICE.

s/John Corbett O’Meara
United States District Judge

Date: July 27, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 27, 2015, using the ECF system.

s/William Barkholz
Case Manager